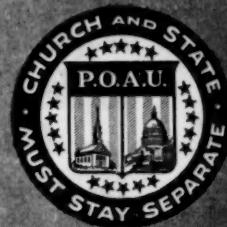


CHURCH AND STATE

A MONTHLY REVIEW



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Church-State Issue Will Figure Importantly In 1960 Presidential Election Campaign

In spite of a conspiracy among a plethora of organizations to suppress or distort the matter, the issue of separation of church and state remains very much alive in the 1960 campaign. It will undoubtedly be one of the most important of all the issues. The nomination of Senator John F. Kennedy, a Roman Catholic, by the Democratic Party has underscored it and has drawn from leading Protestants a warning that the policy of the Catholic Church has not been consistent with America's constitutional traditions.

In a July interview with the *New York Times*, Glenn L. Archer, executive director of POAU, declared: "If the Roman Catholic hierarchy would come out in pronouncement and in practice for equality of creeds before the law, against tying church and state together, against federal aid to parochial schools—then they would sweep away much of the anxiety that exists over electing a man like John Kennedy to the White House. We are not concerned primarily with Kennedy," he added, "but with the desires of the Roman Catholic hierarchy to carve out a special place for that church in American society."

Kennedy Himself

Leading journalists disagree as to whether Senator Kennedy has dispelled all anxiety as to his own personal stand. In West Virginia he said: "I would not take instructions from the Pope, nor would they be given. If you took orders from the Pope, you would be breaking your oath of office. You would be subject to impeachment and should be impeached."

In his address accepting the nomination the senator said: "You have placed your confidence in me, and in my ability to render a free, fair judgment—to uphold the Constitution and my oath of office—and to reject any



Religious News Service photo

Archbishop Joseph E. Ritter of St. Louis, who has ordered Roman Catholics in his diocese to boycott all non-Catholic colleges. (See article page 3)

kind of religious pressure or obligation that might directly or indirectly interfere with my conduct of the Presidency in the national interests."

Most political observers agreed that Senator Kennedy, if President, would be subject to considerable clerical pressure along the various lines of special Roman Catholic interest. Dr. John A. MacKay has solemnly warned: "The church hierarchy in Rome claims absolute authority to issue instructions to lay members of the Roman Catholic Church as to how they should think and act with respect to truths regarded by the church as essential to the faith, and regarding things which it considers indispensable for its institutional welfare."

Senator Kennedy himself has stirred doubts in certain quarters by his refusal to state whether he would

(Continued on page 5)

Religion in Schools Faces Florida Test

Whether certain religious programs current in the public schools of Miami are constitutional was the issue in a recent trial in the courts there. Florida law provides for daily readings from the Old or New Testament and for recitation of the Lord's Prayer. The plaintiffs represented by Leo Pfeffer, associate general counsel of the American Jewish Congress, contend that these practices, and other religious exercises held in connection with them, subject children to religious teaching and religious exercises to which they object.

The defense insists that the children can be excused from such programs if they have conscientious objection to them. One of the witnesses, a Jewish girl, Miss Lois N. Milman, objected specifically to Christian hymns included in school assemblies. Asked by the defense if any pressure were exerted to make her sing them, she replied: "No, but I had to listen to them."

Other witnesses supported Miss Milman's contention that the devotional services at the Miami high school included Protestant sermonettes and prayers referring to Jesus Christ which, they declared, violated their religious freedom and separation of church and state. The point was made that the King James version commonly used in the Bible reading phase of the religious program was objectionable to Roman Catholics who favor a different version.

The plaintiffs are three Dade County parents who are Jewish, one who is a Unitarian, and one an agnostic. They reported "bigot phone calls" from presumed advocates of the religious programs threatening them with bodily injury if they persisted in the lawsuit. The case may go ultimately to the United States Supreme Court as the Federal issue has been clearly raised.

• Editorials •

Is Fair Play One Way?

The Christian Century sharply questions the fairness of the Fair Campaign Practices Committee. It points out its patent unfairness in approving Paul Butler's use of a "Catholic bloc" threat to force Senator Kennedy's nomination, while denouncing talk of a "Protestant bloc" as religious bigotry. We believe the *Century* has adeptly identified a tactic in the 1960 election campaign which will rank with the most egregious political tricks in our entire history. Fair play is being turned into a strictly one way street where the religious issue is concerned.

The episode involving the Fair Campaign Practices Committee was the subject of an exchange between Glenn L. Archer, POAU's director, and Charles P. Taft, head of the Fair Practices group, over a statement by Mr. Butler, then Democratic national chairman. Mr. Butler had issued a statement designed to panic the Democrats into giving Senator Kennedy the nomination. He said that if Kennedy were not successful all the Catholics would turn against the Democratic party and either sit out the election or vote Republican.

Mr. Archer promptly called on Mr. Taft and his Fair Campaign group to denounce Mr. Butler's obvious exploitation of Senator Kennedy's Roman Catholic faith. Referring to Butler's statement, he wrote: "This marked the deliberate injection of religious prejudice into the campaign. Surely this is occasion for your group to act."

Fair Practice

To our utter amazement the man who is supposed to be the watch dog for fair-play in elections replied in language that almost commended Butler's low tactic. Wrote Mr. Taft: "... Mr. Butler was making political and sociological observations. ... His remarks were surprisingly objective."

Replying to Mr. Taft for Mr. Archer, C. Stanley Lowell, associate director, wrote: "The matter is as simple as this: Mr. Butler predicted that if Sen. Kennedy were denied the nomination there would be a bloc Catholic vote against the Democratic nominee in November. If this organization [POAU] were to say that if Sen. Kennedy is given the nomination there would be a bloc Protestant vote

against him in November, your group would instantly charge us with injecting prejudice and bigotry into the campaign. We only want to know why you cannot be impartial in your appraisal of such events. How can a tactic be 'surprisingly objective' for one person and 'religious bigotry' for another?"

Is it the purpose of the Fair Campaign Practices Committee to defend the injection of religion into the 1960 campaign so long as it favors the candidate of Roman Catholic faith, but to oppose the injection of religion when it might work to his disadvantage?

Churches and Tax Exemption

Are the churches getting too big? Are they owning too much tax-exempt land and operating too much tax-exempt business? The *Washington Daily News* recently commented on the problem of getting enough taxes in Washington, D. C. where the government owns so much of the land. "Most growing cities face a similar situation," it declares, "as acre by acre of real estate is taken off the tax rolls to become the property of churches and other tax-exempt institutions." The article concludes with the jarring comment: "God's business ought to pay its way, too."

We are not surprised at this reaction. We expect to hear more and more of the same as church operations burgeon. A farmer friend recently expressed concern that a neighboring farm had been acquired by a religious order. He was convinced that the loss of so considerable a tax revenue would undoubtedly mean an increase in his own taxes. A recent tax study in Philadelphia indicated that over 40% of the land was tax free. Most of this was government and church owned.

Herbert Matthews of the *New York Times* has stated that the trouble with Spain is "religious inflation." He means that the church's operations have been subsidized beyond what is sociologically realistic. Here is the root of anticlericalism.

Corporate Profits

That doughty Presbyterian, Dr. Eugene Carson Blake, has proposed that the churches voluntarily agree to contribute to municipalities one per cent of their property tax as it would normally be reckoned, and to in-

crease the payments by one per cent a year to a ceiling of ten per cent.

Then, there is something else. We received this week by mail an appeal to purchase a "flatface riser," a "flot-r-bug" and an additional large selection of fishing lures manufactured by the Franciscan nuns of Dayton, Ohio. We do not know whether the nuns pay the corporate profits tax on their business income or not. If they do not, it would mean that they enjoy an exemption (generally 52 percent) which their competitors in the fishing lure trade are required to pay.

We do know that church groups are currently being offered a 20 percent safe return, instead of five percent, by assuming title to a business and thus placing it under the umbrella of church exemption. Is this ethical?

We note that the Baptist Joint Committee on Public Affairs is making a study of the churches and tax exemption and that the question will be discussed at the National Conference of POAU next February. This matter needs attention.

Commendation or endorsement by the official governing bodies of three of the nation's largest church organizations—the Southern Baptist Convention, General Conference of the Methodist Church, and the American Baptist Convention—has been given to POAU so far in 1960, for its active efforts to keep church and state separate in the United States.

Church and State

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CHURCH AND STATE

NEWS From Far and Near

◆ Applications from a number of missionary boards in the U.S. for permission to send missionaries to the Sudan have been turned down by that government. The Sudan has made it increasingly difficult for Christian missionaries to enter that country since 1957.

◆ Recent stepped-up antireligious propaganda in Soviet Russia indicates a growing undercurrent of religious belief and practice in that country. So thinks the Institute for the Study of the U.S.S.R. The institute reports that party officials, disturbed by the religious sentiment, have called for stern action against the clergy "including punitive measures."

◆ Archbishop Michael Gonzi, Roman Catholic primate of Malta, has placed under personal interdict Lorry Sant, editor of the Labor journal, "The Struggle." The penalty is just short of absolute excommunication. Editor Sant had stirred the archbishop's ire with comments which, he complained, "are false and are written in a manner completely lacking in respect toward the authority of the bishops. . . ." The action is reported in the "Ulster Protestant."

◆ Pursuant to its policy of forming a Roman Catholic political party in Puerto Rico, a rally attended by 100,000 has been held in San Juan. Bishop James Davis instructed the throng not to support for public office any "anti-Catholic candidates."

◆ Christian missionary schools in Malaya which are subsidized by the government have received orders from the government to stop giving religious instruction to non-Christian pupils without written permission from their parents.

◆ In an unusual case in Bombay a Hindu judge has held that a Roman Catholic cannot be a Communist and still retain membership in his church. Peter Morais, excommunicated for his Communist activity, brought suit to compel his reinstatement, but the court turned him down.

◆ Roman Catholic priests of four Basque dioceses who ventured to issue a letter protesting Franco's violations of civil liberties in Spain have been rebuked and disciplined by their superiors. A declaration signed by the Archbishop of Pamplona and the Bishops of Bilbao, San Sebastian and Victoria condemned the conduct of the priests as "strange and irresponsible," and declared that their statement was characterized by "evident falsehoods."

◆ A Spanish Catholic priest in Colombia, Father Matias Acuesta, accompanied by armed police entered the Protestant chapel at Colorados, broke up the mid-week prayer meeting, and marched the pastor, Rev. Alfredo Moreno, off to jail. He was kept in stocks with his feet elevated for three hours. Father Acuesta demanded a fine of 100 pesos, but the more moderate police inspector set the amount at 40 pesos. Father Acuesta supervised the sealing and padlocking of the Protestant church and school which the priest said were an insult to the town and the nation.

◆ A new impasse has developed between the Roman Catholic hierarchy and the Polish government over teaching of religion in the schools. Under the present agreement, religious teaching is permitted where a majority of local parents desire it. This arrangement is unsatisfactory to the church which desires an automatic program of religious teaching in all schools. Also at issue is the matter of income tax on Roman Catholic institutions.

◆ A dispatch from the Vatican has recently announced that the Roman Catholic Church now has 42 ambassadors at foreign courts who are either Apostolic Nuncios or Internuncios. They have full diplomatic status and usually serve as deans of the diplomatic corps in each capital. In addition, there are 18 Apostolic Delegates, including a new Apostolic Delegate to Scandinavia (including Denmark, Finland, Iceland, Norway, and Sweden) who are purely religious representatives of the Church.

◆ When Spanish Foreign Minister, Fernando Maria Castiella y Maiz had a private meeting in July with members of the British Parliament, the matter of Spain's treatment of Protestants was one of the first items on the agenda. British Foreign Secretary Selwyn Lloyd also broached this question to the Spanish leader. Since the concordat with the Vatican was signed, Protestants have suffered many disabilities in Spain.

Archbishop Orders Boycott Of Non-Catholic Colleges

One of the highest officials of American Catholicism, Archbishop Joseph E. Ritter of St. Louis (he is episcopal chairman of the Legal Department, N.C.W.C.), has forbidden Catholic parents in his diocese to send their children to non-Catholic colleges unless they have written permission from his office. Archbishop Ritter's edict, contained in a formal letter, was published in part in *The New York Times* of June 19, 1960.

"Parents and students," said the letter, "have the grave responsibility of choosing Catholic colleges where the atmosphere and the teaching are conducive to the proper end of Christian education." The Archbishop said he was "alarmed and grieved" at the number of Catholic students going to non-Catholic institutions.

According to his ruling, Catholic parents must have a special excuse for patronizing a public or non-Catholic college and even if they receive written permission after a written application they must pledge in writing that their children will enroll in a Catholic Newman Club which provides Catholic training on secular campuses.

Archbishop Ritter's ruling is an authorized application of Canon 1374 of Catholic Canon Law which forbids Catholic children under any circumstances to attend "mixed" schools without permission of their bishops. According to papal rulings cited on page 704 of Bouscaren and Ellis's "Canon Law": "It is almost if not quite impossible for those circumstances to exist which would render attendance at non-Catholic universities free from sin." A papal encyclical is quoted in this standard work as declaring that "in general no sufficient reason can be conceived for entrusting Catholic young people to non-Catholic universities."

Although this rule is not strictly enforced in the United States, it is rigidly applied in many Catholic countries. The Archbishop of Dublin annually warns Irish students not to attend the only non-Catholic college in his country, Trinity College. In Spain Catholic students are permitted to attend state universities without a written application, but the law requires that every student who receives a diploma must pass a course in Catholic doctrine.

Catholic Political Action In Puerto Rico, Austria, Paraguay

The Roman Catholic hierarchy in Puerto Rico has organized the first full blown Catholic political party on American soil. It is to be called the Christian Action Party. Occasion for its formation was refusal of the Puerto Rican government to establish a released time religious education program tied in with the public school system. When an attempt at this failed despite a powerful Catholic drive, the frustrated hierarchy turned to the formation of its own party. The bishops of Puerto Rico have requested priests "to take an active part in the creation of parish committees" for the new political apparatus.

Another objective of the new party was further Roman Catholic control of marriage. Organizers also stated that they would seek grants for Catholic education so that "the natural right of parents" to educate their children according to their beliefs could be implemented.

In Austria long sustained Roman Catholic pressure succeeded in reinstating the 1934 Nazi-negotiated concordat. Under its terms \$4,000,000 annually will be provided by the government for the support of Catholic priests. Other features of the agreement included legal recognition of Catholic marriages and state support of Catholic schools.

Paraguay followed Puerto Rico's example by forming a new Roman Catholic political party. (Incidentally, Paraguay is one of the countries which bars a Protestant from serving as President). It was anticipated that the new Christian Democratic Party would seek additional financial support for Catholic institutions and further control of marriage and family procedures.

Cardinal Jaime de Barros Camara, archbishop of Rio de Janeiro, the primate of Brazil, has said publicly that he will oppose any presidential candidate in that country whom he considers hostile to the church's interests. The cardinal said that he had not selected a candidate but that he reserves the right to denounce any candidate. "God permit that I do not have to manifest myself," he threatened.

These overt political moves by the Vatican were paralleled in the U. S. by the visit of Giovanni Battista Cardinal Montini of Milan, one of the three most influential leaders of the Roman Catholic Church. His pur-

Catholic Bloc for Kennedy?

Recently released numerical claims of the Roman Catholic Church have been ingeniously used in an analysis published by *Congressional Quarterly* to indicate that a voting bloc of this faith may elect Sen. John F. Kennedy President. The 40,871,302 claimed by that church as members (this includes baptized infants) constitute 23% of the U.S. population.

The analysis shows, however, that nearly 26 million (63 per cent) are concentrated in 11 strategic states polling 237 electoral votes. In these states they constitute over 30 per cent of the population.

In 10 other states polling an additional 52 electoral votes they represent better than 28 per cent of the population. This makes a total of 289—20 more than are needed! The point is that a candidate can win by carrying most of the states with a heavy Roman Catholic population. The suggestion is that a Catholic bloc, or near Catholic bloc, in these states would be enough to do it.

♦

Oregon Released-Time Law Wins Supreme Court Approval

By a 4 to 3 margin a divided Oregon Supreme Court affirmed constitutionality of the state's released time law. The law directs public school officials to excuse pupils for the purpose of obtaining religious instruction outside the school when their parents request it. The decision reversed a decision in the circuit court which had held the law unconstitutional.

The suit was brought by Felix L. Dilger of Salem and was filed against school officials there who had refused to excuse Dilger's child for two hours a week to obtain religious instruction. The officials contended that the law was too vague to administer and unconstitutional in any case.

While upholding Dilger's position, the court pointed out, however, that in the intent of the Legislature, administration of the released time statute would be in the discretion of local school officials.

pose, according to TIME, was to reassure the U. S. hierarchy that the "voting orders" recently given by Pope John XXIII did not actually apply in the U. S.

There was every indication that political action in the U. S. would be of a more muted sort with every attempt to use existing political parties.

Parochial Buses Upheld But Conn. Court Divides

A 1957 Connecticut parochial bus law driven through the assembly by political threats from the Roman Catholic bishops has been upheld by a decision of the State Supreme Court of Errors. The decision was 4 to 1 with associate justice Samuel Melitz dissenting.

The court did, however, unanimously find that no money from established school funds could be devoted to transportation to parochial schools. What was upheld was the 1957 law which provides that communities may hold a referendum on the matter of providing free bus transportation to parochial schools and that if the referendum wins, public funds can be allocated for this purpose.

Francis H. Snyder, one of the plaintiffs and president of Citizens for the Connecticut Constitution, a group opposing the 1957 statute, promptly declared that the case would be appealed to the U. S. Supreme Court. In commenting on the decision Snyder said: "The Connecticut Constitution forbids the making of any law which compels any citizen to support any religious association. The Connecticut General Assembly passed the bus law in surrender to extreme political pressure brought to bear by the Roman Catholic hierarchy. Since no other group in Connecticut has supported this legislation it remains an act which taxes 'A' for the support of 'B'."

The Battle Goes On

In a letter to the editor Dorothy Dickson Cullen vigorously criticized the *Hartford Courant* as having been "grossly unfair in its assessment of the motives of those who opposed expenditure of public funds for this sectarian purpose." She added: "Clericalism is made possible by the use of tax funds in ways which cause the church enterprise to be swollen beyond its normal and proper dimension until it becomes an oppressive apparatus. Connecticut has just taken a long stride in this direction."

Attorneys were speculating as to whether the Supreme Court might be willing to consider another bus case at this time and whether the repeated use of bus grants as precedent for additional parochial school support from tax funds might prompt a reassessment of its 1947 5 to 4 decision in the Everson case.

♦

Church-State Is Campaign Issue

(Continued from page 1)

be willing to sign and administer a measure involving public aid to birth control programs if Congress should pass it. Nor has the Senator answered one of the key questions addressed to him by POAU in 1957. This concerned the Roman Catholic boycott of public schools as contained in Canon 1374. He was asked: "Do you personally approve or disapprove of this boycott rule?" Senator Kennedy has not answered the question. In view of Archbishop Ritter's re-assertion of the boycott (see page 3), an answer becomes even more imperative.

Protestant Reaction

POAU, a non-partisan educational organization, does not endorse or oppose political candidates. Some of its prominent members, have, however, urged opposition to any Roman Catholic presidential candidate until that church is willing to change its policy in regard to church-state separation.

The *American Lutheran* called upon official leaders of the Roman Catholic Church to declare that that body's "traditional" position on church-state relations does not apply to the U.S. Episcopal Bishop Austin Pardue of Pittsburgh stated frankly he would want assurances which have not yet been given before he would endorse a Catholic candidate for President.

Christianity Today has said: "Far from bigotry, opposition to the nomination and election of a Romanist (as President) is perfectly rational."

The Southern Baptist Convention representing more than nine million Baptists insisted that "when a public official is bound by the dogma and the demands of his church, he cannot consistently separate himself from these."

Secular columnists like Arthur Krock of the *New York Times*, Roscoe Drummond, Chalmers M. Roberts and Doris Fleeson have scored evasive treatment of the subject and have pointed out the legitimacy and significance of the politico-religious issue.

This issue even figured in the nominations when Senator Lyndon B. Johnson, a southerner and a Protestant, was drafted as a Vice Presidential candidate in an attempt to hold the Protestant south in line for

the Democrats. All agreed the election would be close; in a close election the religious factor might prove decisive.

Candidates Present Interesting Study In Religious Affiliations

The respective Presidential candidates—Vice President Richard M. Nixon and U.N. Ambassador Henry Cabot Lodge, Republicans, and Senator John F. Kennedy and Lyndon B. Johnson, Democrats, are all churchmen to greater or lesser degree. Mr. Nixon is a Quaker who attends a Methodist Church. He retains his membership in the Friends Meeting of his native Whittier, Cal. but, with his family, attends Metropolitan Memorial Methodist Church in Washington, D. C. His Methodist pastor, Dr. Edward G. Latch, offered the benediction following Mr. Nixon's acceptance speech. Mrs. Nixon has attended the Methodist Church most of her life but is not a member.

Senator Lodge is a communicant of the Protestant Episcopal Church.

On the Democratic ticket, Senator Kennedy is a member of the Roman Catholic Church. He is the first nominee of this faith since Al Smith in 1928. The fact that the Roman Catholic is the only church currently operative on the American scene which is ruled from abroad, and that this church claims authoritative control over its members in certain areas of behavior, has given rise to the so-called "religious issue" concerning

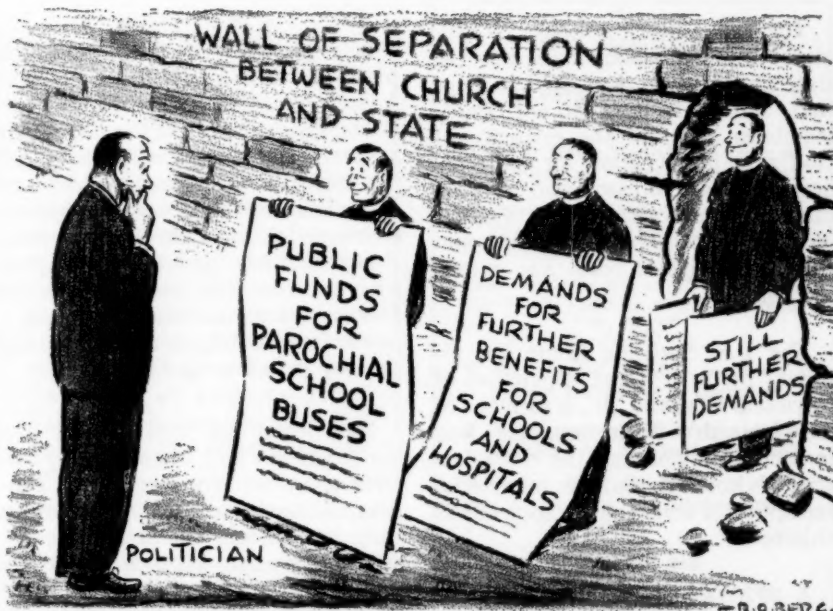
American Baptists Commend POAU

The American Baptist Convention is another in the growing list of church groups to give official commendation to POAU. At its June meeting in Rochester, N.Y. the Baptists gave high praise to POAU for "its vigilance in ferreting out infringements" of the principle of separation of church and state. The resolution added that its commendation was "not necessarily a blanket endorsement" of every action of POAU.

Senator Kennedy. Analysts agree that his Catholic faith will both help and hinder the Democratic nominee, though they differed as to which effect would be greater.

Senator Johnson is a member of the Disciples of Christ Church. His wife and daughters are Methodists, however, and attend Wesley Methodist Church in Washington. A former pastor commented: "I can scarcely recall a time when the Johnsons missed services."

The current nominees thus perpetuate a long-standing tradition—that only church members obtain nominations of the major parties for the Presidency. There have been only a very few exceptions to this rule during American history.



He'll Find It's Only the Beginning



Montgomery County, Maryland, in suburban Washington, D.C., will investigate a variety of charges which allege religious practices in the public schools. A survey now in progress resulted from protest letters addressed to the board of education by a number of parents and by the Montgomery County Chapter of the Unitarian Fellowship for Social Justice.

* * *

For 35 years the St. Bernard public school board of Louisiana has permitted garbed nuns to teach Roman Catholic catechism in classrooms during school hours. A delegation of ministers appeared before the board to demand discontinuance of the program. A group of Roman Catholic parents led by Father Allen J. Roy, assistant pastor of Our Lady of Lourdes church, also appeared to demand the program's continuance.

* * *

The U.S. Army Field Band was scheduled to grace the Feast of the Blessed Sacrament in New Bedford, Mass. When the Secretary of the Army was asked why the army band was appearing at a sectarian event, the reply was: "It is our understanding . . . that this celebration is a city-sponsored community project and is open to the general public, regardless of race, color or creed."

* * *

The U.S. Government has no religious test for public office, but the state of Maryland does. Article 37 of that state's Declaration of rights stipulates belief in the existence of God as a qualification for State office. Roy R. Torcaso, who says he cannot affirm such a belief, was denied a commission as a notary and the state's highest court has upheld the denial.

* * *

The U.S. Supreme Court has affirmed by 5 to 4 the conviction of Raymond Gonzales, Jr., a member of the Jehovah's Witnesses. He was convicted of violating the draft law after his board denied him ministerial exemption or status as a conscientious objector.

* * *

A \$320,000 appropriation for the Jersey City Medical Center, a hospital and medical school under the op-

eration of Seton Hall University, a Roman Catholic institution, has been upheld by a state board. The financial subsidy to Seton Hall, via the medical center, has been the object of several lawsuits in recent years.

* * *

The U.S. Supreme Court declined to receive a case in which it was charged that the state of Washington had denied religious liberty to a 14-year-old girl. The state had insisted that she attend school under the compulsory education law. The family argued that this would be impossible since their faith forbids its members to eat meat, to cut their hair, to play or listen to musical instruments, to dance, or to remain in the presence of one who is eating forbidden food. Their church is Seventh Elect Church in Spiritual Israel.

* * *

A lottery in connection with U.S. savings bonds has been proposed by Rep. Roman C. Pucinski (D-Ill.) There would be offered a \$25 bond on which no interest would be paid. Every three months 1,003 would be drawn in the lottery with prizes of \$1 million, \$750,000 and \$500,000 to the first three numbers drawn.

* * *

Proposals to revive the Bible teaching program in Winston-Salem, N.C. public schools were given a jolt when City Attorney Irving Carlyle advised the ministers' fellowship that in his opinion the program would be unconstitutional. He said the plan was virtually the same as that which the U.S. Supreme Court had disallowed in the Everson Case of 1948.

* * *

Sole survivor of a crash which wiped out his family, seven-year-old Andrew Paul Yudisky of Wilkes-Barre, Pa. was given to the custody of a sister of the deceased mother and her husband. The couple, Mr. and Mrs. Paul Schultz, were Protestant whereas the boy's parents had been Roman Catholic. Judge John J. Aponick, in awarding custody to the Schultz's, ordered them to consult a priest immediately and to bring up the boy as a Roman Catholic.

* * *

New Jersey has been added to the list of states which exempt clergymen from court testimony regarding confidential disclosures made to them in their professional character. The Assembly has approved such legislation.

* * *

President Eisenhower has vetoed a special interest church bill. It would

have refunded to Our Lady of the Lake church of Mandeville, La. \$1,224, the tax on an organ the church imported from Germany. The President observed that instead of attempting to put through a bill the church should have sought relief through administrative procedures.

* * *

The fight of a Pittsburgh Roman Catholic congregation to save its church which has been sold by the bishop in connection with an urban renewal program, will be carried directly to Pope John XXIII. The U.S. Supreme Court has twice refused to intervene to save St. Peter's now marked for demolition.



**Victor B. Harris
(1909-1960)**

One of the ablest and most articulate defenders of the American principle of church-state separation died June 14 in St. Louis. He was Victor B. Harris, prominent attorney, for nearly a decade secretary of the St. Louis chapter of POAU. Exemplar of a vanishing type, Victor Harris was a man who had deep convictions and courage to match. He not only believed that church and state should be separate, he took action to keep them so.

To his final hour Victor Harris was strongly supporting a lawsuit in his city which challenged a give-away of publicly acquired land to St. Louis University, a Jesuit school, under an urban redevelopment program. For men like Mr. Harris there simply are no replacements.

Sectarian Problems Are Resolved In Rhode Island and N. Carolina

Long and patient negotiations have resulted in the resolution of problems involving religion in the public schools in two significant situations, one in the north and one in the south.

In Warren, R. I., a community 90% Catholic, the local priest was using classrooms in the public school for the purpose of conducting his confirmation classes. He made use of the facilities immediately at the dismissal of school so that he could, in effect, utilize the compulsory attendance requirement to enroll Catholic children in his classes. The school's public address system was used to announce the priest's program. Some citizens felt that such a program on public school property at such a time would be in violation of law, and also that this would be only the first step in the priest's designs on use of the public facilities.

Rev. Quinton S. Ivy, minister of the Warren Baptist Church, became the leader of the objectors. His statement of their cause received wide publicity in the press of Rhode Island. Mr. Ivy personally entered into prolonged negotiations with the State Commissioner of Education and with the superintendent of the Warren school. Mr. Ivy urged a time lapse of one hour between public school classes and the sectarian program of the Roman Catholic Church. Eventually, a minimum interval of a half hour was agreed on. A complete regulation covering off-hour use of the school facilities was also prepared together with a contract form to be signed by all users. The contract specified that all religious organizations are to be billed for janitorial services at the minimum fee of \$2.25 per hour.

Bible Classes Dropped in Marion

When strong opposition developed to the proposed Marion, N. C. version of that state's Bible instruction program in the public schools, the superintendent of the city's schools, Mr. Hugh Beam announced that the program would be dropped. Opposition was led by churchmen and was based entirely on the constitutional issue. The entire Bible instruction program in North Carolina has been described by Glenn L. Archer, executive director of POAU, as "clearly unconstitutional under the ruling of the U. S. Supreme Court in the *Everson* bus case, and it is also clearly un-

Cardinal Mindszenty Foundation To Lose Marine Corps Promotion

Free mailing privileges of the Marine Corps will no longer be used on behalf of the Cardinal Mindszenty Foundation. This is a Roman Catholic organization which advertises itself as a foe of Communism. Its purpose, it claims, is "to combat Communism with knowledge and facts."

What a promotion pamphlet for this group was doing in a free mailing sent out by the Director of the 8th Marine Corps nobody quite seems to know. But there it was, complete with its pitch for membership and support, all neatly packaged in an envelope marked "Postage and Fees Paid, Navy Department."

A quick letter from Glenn L. Archer, executive secretary of POAU, brought a denial from Assistant Secretary of the Navy, James H. Wakelin, Jr., that there had been any intention to promote the Foundation. It was only to aid the fight against Communism, he asserted.

He added, however that "the Director, 8th Marine Corps Reserve and Recruitment District has been informed that his action has been understood to constitute promotion of the Foundation. He has been directed to discontinue distribution of the pamphlets." Mr. Archer expressed his appreciation of the prompt action of the Navy to divest itself of the program of sectarian promotion.

A Wise Judge

There is always pressure under the guise of doing good and being helpful to mankind to do the expedient thing in an individual instance and to help religion. However, if the rule is relaxed in even the slightest degree, there are those who will seek to use the relaxation for the purpose of fostering their own religious beliefs or interfering with the beliefs of others.—Judge Ralph M. Holman in his 1960 decision in the Oregon textbook suit.

constitutional under the court's ruling in the *McCullum* case, which was concerned with religious instruction in public schools."

Freedom of Choice —Colombia

When a parent became a Presbyterian recently in Colombia he sent his children to a Presbyterian Sunday School. Roman Catholic hierarchs had the children kidnapped from their father and turned over to their uncle, a Catholic. The archdiocese offered the following explanation of its action:

"In a matter so serious as the Catholic education of children . . . responsibility may not be evaded by the capricious will of parents. The responsibility binds them still; and if they do not wish to fulfill it, then the Church, by virtue of the jurisdiction which she has over both them and their children, may take them from their care and turn them over to such persons as will give them a Catholic education."

Prelate Endorses School Tax But It Is Defeated Anyway

Bishop Joseph T. McGucken of the Roman Catholic diocese of Sacramento gave a forthright endorsement of the public school tax election held in that city last May. The increase was defeated, however, in spite of Bishop McGucken's support.

Observers agreed that the bishop's statement had definitely helped the public school forces.

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Archbishop Rummel Now Refuses To Integrate Parochial Schools

Archbishop Joseph Francis Rummel of New Orleans who a few years ago was threatening to excommunicate Catholics who opposed his plans to integrate the parochial schools of his diocese, apparently has now agreed that integration should be indefinitely delayed. It was reported in a widely printed AP story of June 16 that the archbishop had firmly rejected the applications of a group of "above average ability" Negro boys to enter a new Catholic prep school operated by the Christian Brothers.

According to the Negro parents who sought to enroll their children in the Catholic school, Archbishop Rummel told them: "This isn't the time to integrate due to material losses that may be incurred by the Catholic school and church." The parents stated that they had originally been refused pending a decision by Federal Judge J. Skelly Wright on integration of New Orleans public schools. After Judge Wright's decision ordering integration to commence in September 1960, they returned to Archbishop Rummel to renew their plea, but again were turned down, the parents allege. The archbishop still insisted that "integration . . . will come not later than when the public schools are integrated." Yet, with public schools under court order to begin integration this fall, he had no plans to proceed with his parochial schools. The archbishop has denounced racial segregation as a sin.

It is not known whether Archbishop Rummel's threat of excommunication against opponents of school integration was actually carried out in any case. If there had been excommunications, observers felt these would probably be lifted in view of the archbishop's present attitude.

Philippine Church Subsidies Said to Be Paid in Full

More than \$28,000,000 has actually been paid by the U.S. government to church institutions in the Philippines, according to an announcement of Rep. John W. McCormack (D.Mass.) who pushed the church subsidy bills through Congress. Mr. McCormack reported on June 7 that the church claims had all been processed and that the above amount had been paid by the Treasury.

Those familiar with the succession of public laws on this subject passed by three Congresses will hardly regard the Philippine church claims as finished business. Legislative observers were predicting additional bills covering additional claims in what has demonstrated itself to be a highly lucrative program.

Among the recipients of generous grants of U.S. funds to this point were: the Catholic Bishop of Lingayen, Institute of the Daughters of Jesus, the Sisters of St. Paul de Chartres, the Catholic Bishop of San Fernando, Congregation of the Religious of the Virgin Mary, Franciscan Sisters of the Immaculate Conception, Community of Benedictine Sisters, Daughters of Charity of St. Vincent de Paul, the Belgian Catholic Missionaries, Catholic Bishop of Lucena, Catholic Women's League of the Philippines, Presbyterian Board of Foreign Missions, Union Theological Seminary, Philippine Annual Conference of the Methodist Church, Philippine Mission Churches of Christ, Hinobaan Baptist Church.

The breakdown by religious groups was as follows:

Roman Catholic	\$24,629,934
Protestant	4,062,718
Jewish	113,129

Ed. Note: We have received a personal note from Mr. McCormack asking that we call atten-

tion to the \$4 million awarded to Protestant groups. We are glad to do so at his suggestion and also to point out that we opposed as unconstitutional ALL of these grants irrespective of the denomination.

Brotherhood Items

Father Arthur E. Norton, assistant pastor of St. Aloysius Church, New Canaan, Conn., informed his congregation at Sunday masses that they were not allowed to contribute to the fund-raising drive of the Y.M.C.A. because it was "a Protestant religious organization." The Y had just launched a drive to build a community center, gymnasium and swimming pool.

Fr. Norton also specifically included the Salvation Army in his ban on gifts to Protestant organizations. He said Catholics were forbidden to give anything at Christmas when shoppers are solicited by bellringers on the street.

Fr. Norton did not say whether he expected the usual Protestant gifts to Catholic hospitals to continue.

* * *

Rt. Rev. George B. Curtiss, chancellor of the Hartford archdiocese, speaking for the diocesan bishop, confirmed that the diocese fully supported the views of Fr. Norton.

* * *

A Roman Catholic member of the New Canaan, Conn. Y.M.C.A. board has resigned "under orders" and all Catholic youngsters have been ordered not to participate in the Y program.

* * *

A leading Dominican theologian in Italy has strongly urged all Roman Catholics to avoid listening to Protestant services broadcast over the radio. They should do this he said, as a matter of prudence. The priest is Father Raimondo Spiazzi, O.P.

* * *

The Roman Catholic hierarchy has indicated that excommunication is to be the lot of Catholic Mayor Thomas Pizarro and all members of the city council of Callao, Peru. They were cited for "heresy" because they voted unanimously to grant the Y.M.C.A. use of a city park for a community program. Catholic priests described the "Y" as a "heretical Protestant organization."

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